

1897-058

Lee Co.

Chancery Causes: W. C. Smith for & vs. A. B. Lewis &
L. O. Lewis vs. M. G. Ely &

Kincaid, Weston, Orr, Smyth

CA-Debt / Contract Dispute

T-Property

Women

* Your orator alleges that at the time the debt here sought to be enforced was incurred the land was owned by A. B. Lewis who owned in his simple of said ~~that of~~ land but since said debt was contracted the defendant A. B. Lewis has conveyed or attempted to convey to his wife L. C. Lewis voluntarily, without valuable consideration the land described in the original and unduly which by the credit of a copy of said deed is for file in what is called and asked to be removed, your orator alleges that said deed is fraudulent and void and that the said land is now owned by your orator's

Virginia: -

To the Hon. H. S. K. Morrison Judge of the Circuit Court of Lee County: -

Humbly complaining, sheweth unto your honor your orator W. C. Smith who sues for the benefit of B. F. Kincaid that on the 4th day of March 1893, he obtained before C. C. Blankenship a justice of Lee County, a judgment against A. B. Lewis and L. C. Lewis of the said county for \$40⁰⁰ with interest thereon, at six percent per annum from the 1st day of January 1893 till paid, and \$31⁰⁰ costs on which said judgment a writ of fieri facias was duly issued by the said justice, directed to W^m Smallwood Constable of said county, returnable in sixty days, which was placed in the hands of the said Constable to be executed, and was on the return day thereof returned by the said Constable, with the following return endorsed thereon, to wit: "Judgment not executed No property found. This May 28th 1893, W. Smallwood C. L. C." Now your orator further states, that the said A. B. Lewis and L. C. Lewis are seized and possessed of a tract of land lying and being in the said county, containing 107 acres more or less and bounded by the lands of B. M. Morgan, E. J. Howard and others, and that he is advised that his judgment (no part of which has been paid) is a lien under the Statute law of Virginia on the said real estate - ^{that the said other lien on said real estate} that the rents and profits of the said real estate will satisfy the said judgment in five years. In tender consideration, whereof forasmuch as your orator is remediless in the premises, save by the aid of a court of equity, where matters of this kind are alone and properly cognizable, your orator prays that the said A. B. Lewis and L. C. Lewis, be made parties defendant to this bill and required to answer the same on their corporal oaths, according to the best of their knowledge and belief, as fully and particularly as if the statement of this bill were here again repeated, and the said defendant thereto specially interrogated, that the said real estate be ^{sold} to satisfy your orator's judgment, and that your honor will grant all proper relief, may see, issue & and your orator ever pray

M. C. Ely

P. D.

Plffs Costs
 Hyatt C \$4.01
 Murray C 4.16
 Shuff 1.00
 atty 15.00
 Comr 2.28
 Estimated 5.00
 \$31.37
 15
 2 10
 \$48.37

870
 48.37
 213 211 43
 10032

a 107 1/2

W. C. Smith for Plffs.

Ms. 33 Bill in Chancery-

A. B. Lewis et al. Defts

1893 1st Aug. Rules Bill filed
 3rd Aug. Exd + D. Vice
 " 2nd Aug. Rules D. N. Conf
 and cause set for hearing
 by Plaintiff

Virginia,

In the Circuit Court of Lee County.

To the Hon. W. T. Miller, Judge of said court:-

-----Your oratrix, L. O. Lewis, a resident of said county, would respectfully represent and shew unto your honor, that she is the wife of A. B. Lewis, and the widow of Hiram Lewis, deceased; that ~~h~~ she was married to her said former husband in Harlan County, Kentucky, and after his death on the-----day of-----189-----, she was assigned her dower in his real estate and afterwards sold her said dower for ^{the} sum of One Thousand Dollars, (\$1000.00), and invested the same in a tract of land in said county of Lee, on which she now resides. After the death of her said husband in Kentucky, she married A. B. Lewis, who is her present husband, and after her said sale of her said interest in Kentucky, the said A. B. Lewis purchased with ^{your} oratrix's money, the said One Thousand Dollars, the said tract of land on which your oratrix now resides, as before stated, and had the deed therefor made to him without your oratrix's knowledge or consent. Your oratrix will further represent and shew unto your honor that afterwards, to-wit: on the---day of-----189---, one W. C. Smith for the benefit of B. F. Kincaid filed his bill in your Honor's Court in the nature of a lien creditor's bill, and an account of liens against said A. B. Lewis and your oratrix was taken by a Commissioner and reported and a decree rendered in said cause for a sale of said tract of land, and said sale made by William A. Orr, Sr., Commissioner, and confirmed by decree at the November term 1895, and a writ of possession awarded the purchaser. At said sale M. G. Ely became the purchaser of said entire tract at the sum of \$370.00, a sum more than sufficient to pay the ~~and~~ amount of liens reported by the Commissioner, although said Commissioner Orr was directed to only sell so much of said tract as would pay said liens, costs, etc. And at the time of the confirmation of said sale, a Commissioner was appointed to ascertain and report other liens ~~against~~ against said lands. All of which will more fully and at large appear by reference to said Chancery cause yet pending in your Honor's Court, which is now

which is here referred to as part hereof. The sale made by said Commissioner Orr was for a sum much below the value of said tract of land, and was for a sum more than sufficient to ~~pay~~ the amount of all liens finally reported against your oratrix and said A. B. Lewis. And the said Ely never complied with the terms of said sale by paying down the costs of said suit and commissions on sale, as will be seen by ~~reference~~ reference to Commissioner William A. Orr, ^d Sr., said report of sale, and the said report was improperly confirmed. Your oratrix will further represent and shew unto your Honor that there are other and ~~various~~ various reasons shown by the record and proceedings in said cause why said sale should not have been confirmed, and which would be here pointed out could the papers of said cause be found in the Clerk's ~~office~~ Office of your Honor's Court, but upon search they can not be found. Your oratrix did not defend said suit herself, nor except to said sale because she was informed by her said husband that he had employed counsel, C. T. Duncan, to defend the same, and she relied upon her husband to make all proper defence for himself and for her. The liens reported against said land are debts contracted by your oratrix's husband, except a very small one or two for which your oratrix became bound along with her said husband, and these she is able and willing to pay. Your oratrix has employed counsel to file her petition in said cause at the next term asking that she may be allowed to make defence and except to said sale, and be heard as to her rights in reference to said tract of land, but the said Ely has caused a writ of possession to be issued and ~~xx~~ the Deputy Sheriff has notified your oratrix to surrender possession of said land and premises by the 21st day of this month, October 1896, at which time he proposes to execute said writ and she has no place to go to; the said tract of land being all the real estate, or home she or her said husband have or own.

-----The prayer of your oratrix is that the said M. G. Ely, John M. Weston, Deputy Sheriff and all other persons, be enjoined and restrained from executing or further proceeding with said writ of possession, until the further order of the Court, and that she be given an oppor-

tunity to be heard in said suit of Smith, for, etc., and permitted to except to said report of sale and heard as to her claim to said land; and that if necessary this, her bill, be treated as a petition or cross bill in said cause, and that general relief in the premises be granted her. To this end she makes the said M. G. Ely and John M. Weston, Deputy Sheriff, the parties defendant to this bill and asks that they be required to answer the same, but not on oath, that being waived. That the injunction above prayed for be granted, and ~~at~~ on a final hearing the relief above prayed for be granted, and such other and further relief as she may be entitled to. May process issue, etc., directed, etc. And your oratrix will ever pray, etc.

Orn & Blankenship,
For Plaintiff.

Virginia, Lee County, to-wit:

I, H. C. Forslyn, a Justice of the Peace,
in and for the County and State aforesaid, do certify that L. O. Lewis
this day personally appeared before me in my said county and made oath
that the allegations in the foregoing bill are true, so far as stated
upon her own knowledge, and all others stated upon the knowledge or
information of others she believes to be true. Given under my hand
this the 19th day of October 1896.

Henry C. Forslyn J.P.

J. O. & B.

L. O. Lewis

vs. } Bill.

M. G. Ely, et al.

Supremacy granted to
be effective till after the
7th day of Nov 1896, after
which date it shall
stand dissolved, unless the
peff shall proceed to have
the same enlarged as pro-
vided by stat. Acts 1895-6
page 728-9 but this temporary
supremacy is not to be
effective till the peff execute
bond up the penalty of \$1000 or
conditioned as required by law
Oct 19th 1896 W. H. Miller
Judge Circuit Court 1st Dist 4th

Virginia,

Circuit Court of Lee County.

-----W. C. Smith, for, etc., Plaintiff.

Against----- (In Chancery.

-----A. B. & L. O. Lewis, Defendants.

To the Honorable W. T. Miller, Judge of said Court:-

-----Your ~~xxx~~ petitioner, L. O. Lewis would respectfully represent and shew unto your Honor that at the First August Rules 1893, of your Honor's Court, one W. C. Smith for the benefit of B. F. Kincaid filed his bill, as your petitioner has been informed, in your Honor's Court against your petitioner and her husband, A. B. Lewis to enforce a judgement lien against them and against the tract of land in said bill mentioned, ~~xxxxxx~~ various proceedings and decreess were had and taken in said cause until at the June term 1895, a decree for the sale of said land was rendered and the same was afterwards sold by William A. Orr, Sr., Commissioner, and said sale confirmed, and a writ of possession awarded M. G. Ely, the purchaser, and said Ely having taken out said writ and the Deputy Sheriff being about to execute the same your petitioner on the 19th day of October 1896, obtained from your honor in vacation an injunction restraining said Ely and said Officer from executing said writ until after the 7th day of November 1896.

Now, your petitioner will further represent and shew unto your honor that the object of this petition is to have the matters and things adjudicated in said cause reheard and said sale set aside and she permitted to answer in said cause and make her defense therein. The reason why she did not answer in said cause is because she confidentially relied on her said husband to make his and her defense therein, and was informed by him that he had employed C. T. Duncan as counsel for that purpose. Your petitioner will now point out the following ~~xxxx~~ errors and irregularities apparent upon the face of the record in said cause as grounds upon which she thinks said sale and the proceedings in the cause should be set aside and re-heard, to-wit: The bill is simply a bill to enforce a judgement lien and is not a lien creditor's

(2)

bill though treated as such. The decree at November term 1893, is to rent the land when no account of liens had been taken, although the bill alleges that are other liens on said real estate, and the ~~Commissioner~~ Commissioner, M. G. Ely, appointed by said decree to rent never has reported ~~thereunder~~ thereunder nor has he ever been relieved from acting ^{under} ~~in~~ said decree. At March term 1895, a decree was entered appointing William A. Orr, Sr., a Commissioner, to ascertain and report the liens but this decree and no subsequent one set aside the former decree to rent. Commissioner Orr files a report of liens ~~May~~ May 15, 1895, and reports that the land would not rent for enough in five years to pay ~~the~~ the liens, but your petitioner and the said A. B. Lewis had no notice of his sittings. (See notice filed with his report). And the depositions filed with his said report ~~are~~ are not sworn to. At June term 1895, the said report of Commissioner Orr was confirmed and a decree rendered in favor of the lienors, some against petitioner, some against A. B. Lewis and some against both, and setting aside the deed of A. B. Lewis to your petitioner and appointing William A. Orr, Sr., to sell the land to pay said liens. This decree was erroneous, for if the land was A. B. Lewis' s it should not have been sold to pay your petitioner's debts, and if it belonged to your petitioner it should not have been sold to pay his debts. Commissioner Orr filed his report of sale Sept. 17th 1895, but it is defective, it does not show that he complied with the decree and does not show the time, nor place nor terms of sale, and does not show that he advertised as directed and no notice or copy of the advertisement if any is returned with his report, and there is no certificate of the Clerk that bond was executed by the Commissioner as required by the decree and pursuant to the statute; and said report shows that the Commissioner sold the entire tract for \$370.00, a sum more than enough to pay the liens and not a sufficiency only of said tract as he was directed, and that the purchaser did not comply with the terms of the decree by ^{failing} paying down the costs of suit and expense of sale. This pretended sale was confirmed by decree Nov. 12, 1895, that is the report, (but not the sale), and the Commissioner was directed to disburse the costs when he had none to dis-

(3)

burse, and a writ of possession awarded the purchaser, and H. C. Joslyn was appointed a Commissioner to ascertain and report other liens. This was error, the liens should have all been ascertained before a sale was decreed. See Barton's Chancery Practice, Page 1087, and 23rd Gratton Page 835. Commissioner Joslyn files a report February/8, 1896, and a list of two liens, but does not show who the liens are against, and no legal notice of his sittings were given the defendants. A decree March 3, 1896, confirms Joslyn's report and decrees in favor of the ~~the~~ lienors against the defendants when the report does not show who the judgements were against and this decree continues the cause without providing from what source these~~y~~ liens were to be paid.

Now, your petitioner will further represent and shew unto your ~~honor~~ honor that the tract of land in the bill mentioned and sold as afore-said was purchased by her present husband, the said A. B. Lewis, with her money and at the price of ~~\$1000.00~~ \$1000.00, it ~~ex~~ being the money derived by her from the sale of her interest in the real estate of her former husband in Harlan County, Kentucky, and the deed for said ~~in~~ land was taken by the said A. B. Lewis to himself without her knowledge or consent, and she is advised that he holds the legal title there to if he holds it all in trust for her benefit. To remedy this wrong upon her rights her said husband on the 2nd day of September 1889, conveyed to her and her children the said tract of land, and this is the deed that has been set aside and declared null and void by decree in this cause, but this deed was not made as it should have been, it should have been made to your petitioner alone. These facts in regard to the purchase of said tract of land with your petitioner's money, etc she can abundantly prove. And as to all debts contracted and owing by her she can pay them and is willing to pay them, and hopes to do so without sacrificing her little home.

The prayer therefore of your petitioner is that said cause be reheard and said sale set aside and annulled and that your petitioner be granted leave to file her answer and cross bill in said cause, and to make a proper defense therein and set up her claim to said land. And that your honor grant her all such other further and general relief as the nature of her case may require. And your petitioner will ever
Tray, &c.
Orr & Blankenship, p. g.

Virginia, Lee County, to wit: -

I A. B. Mumsey Clerk of the Circuit Court of said County do certify that L. O. Lewis this day personally appeared before me and made oath that the facts stated in the within petition are true so far as they depend on her own knowledge and so far as they depend on information derived from others she believes them to be true. Given under my hand this November 7th 1896.

A. B. Mumsey Clerk

L. O. Lewis.

advs Petition

W. C. Smith for vc.

20-6-96
See return of M. J. Smith upon the return of the court of Lee County, Va. made by the sheriff on the 11th day of May 1896.
M. J. Smith
20th Nov 1896

L. C. Lewis & Co. In the Circuit Court of Lee County,
Va. vs. B. B. Lewis, Defendant. W. T. Miller
Plaintiff at the Circuit Court, Judge of said Court
The Court said and decreed that B. B. Lewis is one of the
defendants to the bill of complaint exhibited against
him and also in the Circuit Court of Lee County Va
by L. C. Lewis as plaintiff, for as to said bill
says that said bill is not a libel in law - but of this
he begs judgment of the Court, but now what all this
hereafter, saying and saying unto his self all he will not
advantage of expectation will be coming, he will take
to the many errors, omissions and other imperfections
in the said complaint to said bill of complaint a fair
form in that, wants to be made and such parts thereof
as this defendant is advised is material or necessary
for him to make amendments, this is what he is
saying, that he supposes that it is true that L. C. Lewis is
the wife of B. B. Lewis, but he denies that she was ever
assigned any land in the lands of Hiram Lewis Dec, but he
denies that she sold that land for \$1000, and invested
the same in lands in Virginia, and all hands & deny
that B. B. Lewis has sold the land on which complainant
now lives with her money, and had the same added to
himself without her knowledge or consent, but on the
contrary of said respondent alleges that it was with the
knowledge and consent of complainant, and that matter
went thus nicely until complainant to her land B. B.
Lewis become involved in debt, where he made to

complainant a voluntary and fraudulent deed to the
said land in consideration of the sum of \$500 and in
which he undertook to prevent or prohibit the said tract
of land from being sold either for his or her debts
until the youngest child was 21 years, which year
respondent alleges was come to elude and defraud both
their creditors, a copy of said deed is filed with the bill
in the chancery cause of Wm B. Smith for &c. vs. A. B. & L. C. Lewis
and is referred to and made part of this answer —
The respondent admits that Wm B. Smith for the benefit
of B. F. Lewis filed a bill in your honor's court in the
nature of a lien creditors bill to set aside the above said
fraudulent deed and that process was properly
executed on both the defendants in that suit, L. B. & L. C. Lewis
that an account of liens was taken and reported and
also an order in said cause to sell the said land —
and a sale was made by the U. S. Commissioner, and
the respondent became the purchaser of the same for \$1370.
that said sale was confirmed by a decree of your
honor's court Nov. 1895, one year ago, all of which
proceedings, to your respondent's own knowledge, the
complainant J. C. Lewis had full and complete notice.
The respondent denies that said land brought a
sum more than sufficient to pay all the liens against
said land, the liens against said land and costs of suit,
your honor will see from said cause amount to the
sum of \$698.⁷⁰ The sale of said land being \$1370 & 1/2

paying the judgment to him and the same
again, but it would not have been as that
of the amount of his bid as he loses to it \$270.
He has in effect paid the sum of \$277¹² as to the
judgment in my favor \$64¹⁰. I have assigned \$250
to him in favor of B. A. Beam vs A. B. Lewis & Co. I have
recently paid to said A. B. Lewis & Co. for Beam, since that
time they seem to be on the other side of the case, since
the filing of complaints till I have paid to the
A. B. Lewis & Co. \$150 of the judgment due officers of the court
in favor of C. C. Hesse & Co. Judgment in favor of John
Forster for my benefit \$53³². Judgment in favor of my
agent Mr. Strang which has been assigned to me, \$81⁵⁷
Costs of suit \$98⁶⁵, making in all \$277¹² leaving your
respondent to the, on his bid \$92⁸⁸. You will not think
that the sale made by the commission was for a sum
more than the value of said tract & land, and was for
a sum more than sufficient to pay the amount of all
claims finally reported against complaints and costs,
see commission's report of sale, and amount of claims
in said case, all of which is made a part of this
report. It is to be understood so that he is
so bound with the terms of sale - to the costs of
suit - he did not pay all out of the sale, but assumed to pay
it to the officers entitled thereto, and executed 1 is two bonds
with a bond & security for the defunct pay to
on the day of sale which are with said bonds.

who refused to and considered himself bound for the costs
there, some of which he has since so. He has since been
filed, so has 5152 been paid to G. V. Strickland atty for a, be-
cause so and then to bill me so, filed, then a power to
him that said sale was improperly confirmed, but
alleges that his bid was accepted by the court and
properly confirmed and that if he had refused to
comply with his bid the court would have compelled
him to do so, your report but he says that there are
no reasons shown by the record in said case
why said sale should not have been confirmed as
that may can be pointed out, as to the papers of said cause
not being found in the clerk's office, he says he
refers by saying that they should have produced them
bill of complaint when they had the papers in their
office collecting from them a power to the Judge at
the house of D. T. Kearns vs. L. C. Lewis, the papers of said cause
were in the law office of Mr. J. A. Blumenthal at that time
and had been produced there previous thereto, your
report & denies that the lien reported against said
land and debts so traded by A. B. Lewis & Co. is very
small or two which she is able and willing to pay
but on the contrary says ~~rephrased~~ would state
that the judgments against A. B. & L. C. Lewis jointly
were \$232¹³ and against L. C. Lewis
individually \$217¹³ and against G. E.

individually \$134⁸⁹ all of which will be seen by
an inspection of said survey, made 5th 4th 1846. It
further says that L. O. Lewis - Your respondent denies
that said Complainant has any right to file a petition
in said cause at this late day, or be allowed to except
to said sale after the same has been confirmed. Solong-
and Your respondent's right to account, Your respondent
rights to the said lands have been acknowledged by
the said complainant, and Your respondent has had
possession of most of said land for the past crop
year, and made valuable improvements on some of it -
and rented a considerable amount of it for the next year -
Your respondent alleges that Complainant came to him
when he first purchased the land and asked him to permit
her to remain in the dwelling house and to have a piece of
ground for this year 1846 - which Your respondent
gave. Your respondent denies that Complainant was prevented
from defending said suit or excepting to the sale
because her husband had informed her that he
had employed counsel C. S. Duncanson, but alleges
again that she had full notice of all the proceedings
had and done, which she virtually admits when she
says that she relied on her husband, to make all
proper defenses for her and him, Your respondent
denies that there is any equity in said Complainant's
bill which entitles her to the granting of any
injunction that the whole object of the complainant's
bill is to harass and involve Your respondent in

In relation and ~~in~~ litigation, He denies the
right of said Plaintiff to have said bill treated as
a petition or cross bill in said cause. Then
said Plaintiff alleges and charges that the lands
sold were the lands of J. B. Lewis, and that the
title to the same stands upon the records books
of the county court of Lee County, to his -
that said lands were first deeded to him
by H. H. Bundy, that he afterwards fraudulently
deeded them to J. B. Lewis, that when that
deed was set aside by a decree of said county
court, said J. B. Lewis, being in the county
court clerk's office ^{of this county}, his homestead deed claiming
said land as his and trying to defeat his debts
by that scheme which was acquiesced in by
his wife the complainant, and finding his
homestead deed, void. He has absconded the
county and gone to parts unknown,
whereupon it is that said injunction
be dissolved, that said complainant will
be reimbursed with costs and damages to
be ascertained, and he will ever pay -
etc

J. A. B. Mursey Clerk of the Circuit court of Lee
County do certify that M. G. Ely personally appeared
before me and made oath that the statements
made in the foregoing answer are true. This noon
7th 1886 - A. B. Mursey Clerk

Mr. L. Ely -
also Attorney of -
M. G. Ely -
L. E. Lins -

Filed in open Court
and by leave thereof
November 7th 1896
S. B. Munsey Clk

W. C. Smith for the Deft.

against.

De Chauxery -

A. B. Ed L. Q. Lewis Defto,

I have examined the papers in this case and
when the paper is made read in the court and
there is a report of commission from A. B. Ed L. Q. Lewis and
deft. filed in the court, and was signed by the court.
An examination of a trial, it appearing to the
court, that the entire purchase had been made,
it is therefore adjudged, or ordered, and decreed that
said report be approved, and confirmed, and
that W. C. Smith is to be allowed to
operate the same, and a deed to be made
for the same. The court, and said deed
being already executed and filed in the court
approved and confirmed. And said that
it is given the same to the court with
for the purpose of execution and nothing
further remaining to be done in this case
is returned from the court.

W. B. Smith
1874
Admission

For the year 1874

Enter this

1874
W. B. Smith

L. O. Lewis Plff.
vs. E. L. Chaney
M. Y. Ely et al.

This cause came on this day to be heard upon the bill of complainant and answer of M. Y. Ely defendant and was argued by counsel.

On consideration of which the Court ^{said in function to find of find} doth adjudge, order and decree that Complainant's bill be dismissed and that M. Y. Ely recover of L. O. Lewis his costs in this behalf expended, to be taxed by the clerk for which execution may issue and the cause is stricken from the docket,

L. C. Lurio
vs E. Deere & Fernal
M. G. Ely et al
Entered in Chy. O. B.
No. 4 for 479.

Enter this

1896

Nov 9th 1896 -

Wm C. Smith for etc Plff
vs ~~etc~~ D. F. Chancey
A. B. & L. Q. Lewis deft-

This cause came on this day to be heard upon the papers formerly read in the cause and the report of Special Commissioner H. C. Joslyn and was argued by counsel, On consideration of which the said report having been filed the time required by law and being unexcepted to, it is therefore ordered and decreed that said report be approved and confirmed, And that D. F. Chancey recover of the defendants the sum of ~~\$53.09~~ \$67⁷⁵ with interest on \$53.09 part thereof from March 12th, 1896 till paid, And that M. G. Ely recover of the defendants the sum of \$64¹⁰ with interest on \$50. ~~with interest~~ part thereof from March 12th, 1896 till paid - And the cause is continued

Wm C. Smith for the
vs ~~EE~~ Deere

C. H. Ed L. C. Lewis

Q. B. P. 319

Enter This

M. L. M.

March 2nd - 1896 -

W^m C. Smith for etc Off.

vs.

J. Deere

A. B. Ed L. O. Lewis depts.

This cause came on this day to be heard upon the papers formerly read in this cause and the report of sale by Commissioner W. A. Orr, And was argued by counsel, On consideration of which, and it appearing that said report has been filed the time required by law and is excepted to, It is therefore ordered and decreed that said report of sale be approved and confirmed, It is further directed that the commissioner disburse the costs in his hands to the parties entitled thereto, and proceed to collect the purchase money bonds as they become due, And it is ^{ordered and decreed} further, that a writ of possession may be awarded to the purchaser W. A. Ed for the lands purchased by him in the bill and proceedings described, And it being suggested at bar that there are other liens against said lands, not heretofore reported, it is therefore ordered and decreed that H. C. Joslyn be appointed a commissioner to ascertain what further liens exist against the said land not heretofore reported, he will give all parties in interest due notice of the time and place of his sitting and report his action to the next term of this court and the cause is continued.

Wm. C. Smith for the

no. { { Deane

A. B. Ed L. O. Lewis

Q. B. P. 2, 70

Enter this

Nov. 15th 1895

W.C. Smith for etc.
vs.
A.B. & L.Q. Lewis } } Deere in Chg

This cause came on this day to be heard upon the papers formerly
read in the cause and ~~among~~ the commissioners report
of W.A. Orr, and was argued by counsel. On consideration
of which, it appearing to the court that said report has
been filed the time required by law, and is not excepted to,
the court doth approve and confirm the said report
and doth adjudge order and decree, that Morgan Ed Armstrong
recover of defendants the sum of \$8157, and that D.A.
Beam recover of defendant L.Q. Lewis the sum of \$21.98
and that C.C. Hagemeyer & co. recover ^{of the defendants} the sum of \$35.50
and that Solomon Fousiter for the benefit of M.V. Ely,
^{of the defendant A.B. Lewis} recover the sum of \$53.32, and that plaintiff recover of
defendants the costs of this suit, And it appearing to the
court that the deed filed in this cause from A.B. Lewis to
L.Q. Lewis is voluntary and without valuable consideration
It is ordered and decreed that said deed be set aside and
held for naught, And it is further adjudged, ordered and
decree that unto the aforesaid judgments are paid
within 30 days from the rising of this court, then
W.A. Orr Sr. who is hereby appointed a special commissioner
for the purpose, do advertise and sell to the highest bidder
the lands in the bill and proceedings mentioned, or a
sufficiency thereof, to pay the aforesaid debts, said sale shall
be in front of the court house of Lee County on a credit
of 1 & 2 yrs. except as to costs and commissions which
will be required to be paid down, said deferred payments
shall be secured by bond and security, after having
first duly advertised the terms, time and place of

sold for at least 30 days, by written notice posted
 in the vicinity of said land, and upon the front door
 of the Court house of Lee County, but before said
 Commissioner proceeds to sell the said land, he will
 execute bond before the clerk of this Court, ^{in the sum of \$300,} conditional
 according to law, and report his action to the next term
 of this court and the cause is continued,

W. C. Smith forester

no sacre —

J. B. Lewis & Co.

Entered in
Order Chancery
Book Page 204
Enter this

Jan. 7th, 1895

Virginia:-

At a ~~court~~ circuit court continued and held
for Lee county at the Court house thereof on
Wednesday March 6th, 1895.

W. C. Smith for et c Plaintiff,

vs.

A. B. Ed L. A. Lewis & et,

This cause came on this day to be heard again
upon the papers formerly read in the cause
and was argued by counsel. On consideration of
which and it being suggested that this is
a proper case to be referred to a commissioner
to take an account, it is therefore ordered and
decreed that W. A. Orr, be appointed a special
commissioner to ascertain the liens against the
lands in the bill mentioned, their priorities
to whom due and whether or not the said
lands will rent for enough in five yrs.
to pay the said liens, he will report his action
to the next term of this court and the cause
is continued.

A Copy Teste

A B Munsey Clerk

£ fee 25

W.C. Smith forester

us $\frac{5}{27}$ deer.

A. B. Ed L. C. Lewis et al

402,

Enter this

W.T. M-

March 6th 1890

Wmth C. Smith for etc Plff.

vs. J. J. Dierce for Rental.

A. B. & J. Q. Lewis Defts.

This cause came on this day to be heard on the bill taken for confessed as to the defendants A. B. & J. Q. Lewis on whom process had been duly served. They still failing to appear and plead, answer and demur to the said bill, And was argued by counsel.

On consideration whereof The Court doth adjudge, order and decree that the plaintiff recover of The defendants the sum of \$48⁰⁰ with int. thereon from 1st day of Jan^r 1893 till paid and \$3⁰⁰ costs. And it is further adjudged ordered and decreed that unless the said defendants or some one for them pay to the plaintiff the aforesaid sums within ten days from the rising of this Court that M. G. Ely who is appointed a special commissioner for the purpose, at the front door of the Court house on some court day, after having duly advertised the same for at least 30 days, by posting written notices on the front door of the Court House and in the vicinity of said land, shall proceed to rent to the highest bidder the land in the bill mentioned, or so much as is necessary to satisfy said claim, costs of suit and sale shall be paid down and balance in one or two years evidenced by bond of purchaser with approved security - made payable to Com., but before rental commissioner will execute bond in penalty of \$100, pursuant to law and report to Court and the cause is continued,

W. C. Smith for etc. 1894

VB. 33 Deane to rent.

A. B. & L. O. Lewis Defto

Entered chancery 013
5-14 Nov. 1893

not.

Enter this.

Nov. 18th 1893.
H. K. 1893

Virginia

At a circuit Court continued and held for Lee County at the Court-house thereof on Tuesday Nov 12th 1898;

W. C. Smith for &c Plff

vs

A. B. & L. O. Lewis — Defs

} In Chancery

This Cause came on this day to be heard upon the papers formerly read in this Cause, and the report of Sale by Commissioner W. A. Orr and was argued by Counsel, On Consideration of which, and it appearing that ^{said} report has been filed the time required by law, and is unexcepted to. It is therefore ordered and decreed that said report of Sale be approved and confirmed; It is further directed that said Commissioner disburse the costs in his hands to the parties entitled thereto and proceed to collect the purchase money bonds as they become due, and it is further ordered and decreed that a writ of possession may be awarded to the purchaser M. G. Ely for the lands purchased by him in the bill and proceedings described, and it being suggested at

bar that there liens against the said
lands not heretofore reported, it is
therefore ordered and decreed that H. C.
Joslyn be appointed a Commissioner to
ascertain what further liens exist
against the said lands not heretofore
reported, he will give all parties in
interest due notice of the time and
place of his sitting, and report his
action to the next term of this Court
and the Cause is continued,

A Copy Left

A. B. Munsey Clerk

W. C. Smith for

Copy of Decree

A. B. C. O. Lewis

decreed Dec 11-1875

by the Court

copy of Decree

decreed to H. C. Joslyn

in Boston Dec 11-1875

W. C. Smith for

Copy for H. C. Joslyn

C. C.

Virginia: In the circuit Court of Lee County.

L. O. Lewis

vs } Affidavit - for Injunction.

M. H. Ely et al.

I, James W. Orr, a Commissioner in Chancery for the circuit Court of Lee County, Va, do hereby certify that Wm A. Orr, Esq, appeared before me in my County and made oath that he was appointed a Special Commissioner by a decree of your Honor's Court to sell some land described in the Chancery Cause of W. C. Smyth for &c. vs A. B. & L. O. Lewis now pending in said Court, and that he sold said land to M. H. Ely who did not pay to him all the costs as was required by the decree, which fact was reported by your ^{said} Commissioner.

Given under my hand this October
17th, 1896.

James W. Orr, Commr
in Chancery, for Lee County Circuit
Court.

L.O. Lewis
vs. } Affidavit of
Wm. A. Orr, Sr.
M. G. Ely, et al.

VIRGINIA--Lee County, to-wit:

To W. C. Smith, Constable of Said County.

I HEREBY COMMAND YOU TO SUMMON A. B. Lewis, if to be found in your District, to appear at C. B. Blankenship's, in said County, on the 12th day of April 1895, before me or such other Justice of said County as may then be there, to try this Warrant, to answer the complaint of Solomon Forester for the benefit of M. G. Ely and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: for the sum of \$40⁰⁰, due by note. And then and there make return of this Warrant.

Given under my hand the 5th day of April 1895.
C. B. Blankenship, J. P.

Solomon Forester for the benefit of M. G. Ely
Against
A. B. Lewis
On the 12 day of April, 1895.
In Debt.
At C. B. Blankenship's office, in said County.

JUDGMENT, That the Plaintiff recover of the Defendant, \$40.00, with interest thereon from the 14 day of April, 1890, till paid, and \$1.00 for costs.
C. B. Blankenship, J. P.

VIRGINIA, Lee County, to-wit:

To W. C. Smith, Constable of Said County:

I COMMAND YOU, in the name of the Commonwealth of Virginia, That of the goods and chattles of A. B. Lewis, in your County, you cause to be made the sum of \$40.00 with interest thereon from the 14 day of April 1890, till paid, which Solomon Forester for the benefit of M. G. Ely has recovered before me in a Warrant in Debt, and also the sum of \$1.00, which were adjudged to said S. Forester for the benefit of M. G. Ely for costs in prosecuting said Warrant. Given under my hand This 12 day of April, 1895.
C. B. Blankenship, J. P.

Loth. Forester for

res { Karant
\$40.⁰⁰

W. B. Lewis

[Faint handwritten notes, possibly "The ..."]

No further notice
This April 25th 1851
H. C. South

To B. F. Kincaid, assignee of W. C. Smyth,
A. B. Lewis and L. O. Lewis:

You will take notice that I
will take an account and perform
the duties required of me by a decree
rendered at the last term of the Circuit
of Lin County, Va, in the Chancery
Cause of W. C. Smyth for & against
A. B. Lewis and L. O. Lewis. I
will begin my sittings at my
Office in Jonesville, Va, on the
4th day of May, 1875, and will
adjourn from time to time and
from place to place till I have
completed the requirements of said
decree. This Apr 15th 1875.

Wm A. Orr,
Special Commissioner

W. C. Smythe for &c
vs } Lewis' Notice

A. B. & L. O. Lewis

May 4th 1895

I accept Legal service
of the within notice for
B. F. Pincaid assigned to
in Smith, this May 3-1895

M. G. Ely
att'y

W. C. Smith for & c

vs

A. B. & L. O. Lewis

} In Chy in the Circuit Court
of Lee County, Va

The depositions of M. G. Ely and
others taken at the office of Wm A. Orr,
Special Commissioner, on the 4th day of
May, 1895, which depositions were taken
are intended to be read as evidence by
said Special Commissioner, in the Chy
Cause of W. C. Smith for & c against
A. B. Lewis and L. O. Lewis now
pending in the Circuit Court of Lee County
Va.

M. G. Ely a witness of lawful age
being first duly sworn deposes and says:
I am acquainted with the lands owned by defendant
in this suit, it lies on the Chestnut ridge about 9 miles
west of Joursville in Lee County and is said to contain
107½ acres, The rental value of said land, in my opinion
would be only about \$25. or \$30. per year, if it
would rent at all. As attorney for B. H. Hincick,
A. B. Lewis and L. O. Lewis have made to me the following
payments on the judgment of W. C. Smith for & c vs,
defendants, \$16.98 paid about June 1st 1894, and
\$16.98 paid Nov. 2nd 1894,

And further this deponent saith not.

M. G. Ely

W. L. Smyth & c

vs } Depositions

A. B. & L. O. Lewis

W. L. Smyth for &c

vs

J. L. Chy, cir. Ct Lee Co., Va.

A. B. and L. O. Lewis

Statement of Liens against the real estate of
A. B. Lewis and L. O. Lewis and their amounts
as of June 3rd, 1895.

(1) To balance of Judgment in favor of Morgan & Armstrong \$ 81.57

(2) To bal of Judgt in favor of W. L. Smyth for &c. 13.37⁷⁰

(3) To bal. of Judgt in favor of D. A. Beam 21.98

(4) W. L. Hegemyer & Co, bal of Judgt for costs 35.80

(5) Solomon Forester, Judgt 53.32

Estimated Costs of this Suit

45.00

\$251.37

To the Hon. W. T. Miller, Judge of the Circuit Court of
Lee County, Virginia:

Your undersigned Special Com-
missioner begs leave to report that he has on
this day discharged the duties required of him
by your Honor's decree in the above styled
cause, entered therein at the last term of the
said Court; that the notice of the time and place
of his sitting is hereto attached; that the liens
against the land of the defendants, and their
amounts are stated above, ^{and the persons to whom due} and that their total
together with the estimated costs of this suit
is \$251.37 as of the 3rd day of June, 1895.

These liens are numbered from 1 to 5 in the order of their priority. As will be seen from deposition here filed the rental value of the land is not sufficient to pay the liens within five years. The land consists of about $107\frac{1}{2}$ acres and lies on the Chestnut ridge about 7 miles west of Jonesville. It appears from a deed on file in the cause that A. B. Lewis made a voluntary conveyance of this land to his wife L. O. Lewis after the debts herein named were contracted. Your Commissioner is of opinion that this deed of gift was made by A. B. Lewis for the purpose of delaying his creditors in the collection of their debts.

Respectfully Submitted,

Wm A. Orr.

Special Commissioner

May 4th 1895.

W. L. Smyth for, &c.

vs } Lewis's Report-

A. B. and L. O. Lewis

Filed May the 15th 1896
A. B. Munsey
Clerk

Lewis Wm A. Orr's for \$2.25

Virginia: In the circuit court of Lee County.

W. C. Smith for &c.

against

} In Chy

A. B. Lewis et al. Defts

To the Hon. W. J. Miller, Judge of said Court:

Your Special Commissioner, Wm A. Orr, appointed to sell the land in the bill and pleadings therein ~~named and described~~, and pursuant to a decree of Your Honor, rendered on the 7th day of June, 1895, your Commissioner complied with the terms of said decree, and he sold said land to M. H. Ely for the sum of \$370⁰⁰.

Your Commissioner took the notes of the purchaser, and his father H. C. Ely as his security, and ~~and~~ your Commissioner deems these bonds good; these bonds do not include the costs and commission of sale. The attorney's fee of \$15⁰⁰ belongs to the purchaser; the Commission of \$16⁴⁰ and ~~and~~ ^{for taking account} \$2²⁵ belongs to your Commissioner, and he has charged the ~~the~~ same to M. H. Ely, the purchaser. ^{No other costs have been paid} The amount of \$230⁰⁰, or thereabouts belongs to the purchaser, M. H. Ely, and your Court recommends a confirmation of the sale made by him, as he does not think that the property will bring so much money on a re-sale. He also recommends that Your Honor confirm the sale made by your Court in vacation (See Sec. 3424

and Amendments thereto "Acts 1893-4.
p. 233.

Respectfully Submitted
Wm A. Orr
Special Commissioner.

W. C. Smith Jr & c Plff. } In Chancery
vs. }
A. B. & L. O. Lewis Defts

To Hon W. T. Miller Judge of
The Circuit Court for Lee County
Virginia.

Having been appointed a Commissioner
by your honor's order dated the
12th day of November 1895, for
the purpose of ascertaining what
further liens exist against the
above named defendants. I have
the honor to report, that after
giving all parties due notice of
time and place of my sitting. I
on the 12th day of Feby 1896, and
on the 17th day of Feby 1896, proceeded
to execute the decree as required by
the above mentioned order, and
find two additional liens as
shown by Statement filed with
this report. No 1. is in favor of
P. F. Chance amounting Principal
interest & Costs to \$67.25 as of March
1st 1896. No. 2. is a Judgment
in favor of M. C. Galy. amounting
Principal. interest and Cost to
the sum of \$64.10 as of March 1st 1896.

W. C. Smith Fore Pff

(P. S. 3 In Charge)

A. B. & L. O. Lewis Sept

Commo Report

Filed Feb 18th 1896

A. J. Munnay Clerk

Commissaries for 2.50
Constable 1.50

Having now made a report of
all the liens I have been able
to find against the defendants in
this Cause, this report is respectfully
Submitted.

Feb 17th 1896.

Henry C. Joslyn
Special Commissioner

Virginia: Lee County to-wit-

W.C. Smyth for &c

vs

J. D. Chey

A.B. & L. O. Lewis

To the Hon. W.D. Miller, Judge of said Court-

Your undersigned, Special Commissioner
herein leave to Report that M. H. Ely, the purchaser
has settled with the parties interested in this
suit all the debts, interest and costs
(See receipts and assignments here
filed marked from 1 to 10 inclusive)
except the sum of Twenty dollars and
eighty cents. The purchase money
having been fully paid, your Commissioner
has made and executed a deed to him
for the land awarded in the cause, and
here file same marked "A" as part
of this Report.

Respectfully Submitted,

W^m A. Orr Sr.,

Special Commissioner.

W. L. Anytfor & c

vs Ripon

A. B. & L. O. Lewis

Filed Nov 4th 1897

A. B. Journey Clerk

1 Virginia Lee County to Wit
2 to William Smallwood Constable of said County
3 I hereby command you to summon A. B. Louis and
4 L. O. Louis if to be found in your district to
5 appear at C. C. Blankenship's office in the
6 Court House on the 11 day of March at two o'clock 1893
7 before me or such other Justice of the said County
8 as may be there to try this Harment between
9 the complainant W. C. Smith who Harments for
10 the benefit of B. H. Ringcade upon a claim for
11 money for the sum of \$40.00 dollars due by note
12 and there make return of this Harment given
13 under my hand this 8 day of March 1893
14 C. C. Blankenship J. P.
15

16
17 W. C. Smith for the benefit of B. H. Ringcade Plaintiff
18
19 A. B. Louis and L. O. Louis } in debt
20 11 day of March 1893 at C. C. Blankenship's office
21 judgment that the plaintiff recover of the defendants
22 \$40.00 dollars with interest from the 1 day of January 1893
23 till paid \$3.10 for his costs
24 Lee County to Wit C. C. Blankenship J. P.
25 William Smallwood Constable of the said County
26 I command you in the name of the Commonwealth of
27 Virginia that of the goods and chattels of A. B. Louis and
28 L. O. Louis in your district you cause to be made the sum of
29 \$40.00 dollars with interest thereon from the 1 day of Jan
30 1893 till paid which W. C. Smith has received before me
31 in a Harment in debt and also the sum of \$3.10 dollars
32 which were adjudged to the said W. C. Smith for costs in
prosecuting his said Harment given under my hand
this 11 day of March 1893
C. C. Blankenship J. P.

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Chas. B. Jones
J. C. Jones

The artist by combining
 the bird with 15 pairs
 and 100 pairs to
 appear in the book
 of the bird.

Smallwood, C. S.

Figure 10 checked

May 31 1873.

J. P. Robinson & Co.

W. C. Smith for & c Plff's } In Chancery
 A. B. & L. O. Lewis } Defts
 Statement of Liens reported
 by H. C. Jorlyn Spl Commr.

A. Judgment in favor of
 Peter F. Chance for 53.09
 Interest from Feb 4th 1894. to Incl 1st 78% 6.60
 Costs of Suite 8.06 67.75

2

A. Judgment in favor of
 M. C. Ely for the sum of 50.00
 Interest from Apr 22^d 1894. to Incl 1st 89% 5.54
 Costs of Suite 8.56 64.10

Feb 17th 1896.

H. C. Jorlyn
 Special Commissioner,

W. C. Smith for &c
V. S. 3rd Chancery
A. B. & L. O. Lewis

Statement of
additional liens

Filed Feb'y the 18th 1896
A. B. Munsey Clerk

VIRGINIA--LEE COUNTY, TO-WIT:

TO W. P. Sprinkle Constable of said County:

I HEREBY COMMAND YOU TO SUMMON John H. Lewis

If to be found in your District to appear at C. C. Blankenship in said county, on the 19th day of May 1894 before me or such other Justice of the said County, as may be thereto

try this warrant, to answer complaint of D. A. Beane for

Cres. Helburn

and upon a claim for money not exceeding \$100, exclusive of interest, to-wit: For the sum of \$18.65 due

by Vote, and then and there make return of this warrant,

Given under my hand the 13th day of April 1894 C. C. Blankenship J. P.

D. A. Beane
Against
S. O. Lewis and John Lewis } On the 17 day of May 1894
(In debt.)
At C. C. Blankenship in said County.

JUDGMENT, That the Plaintiff recover of the Defendant \$18.65, with interest thereon from the 1 day of Jan 1894 till paid, and \$1.50 for costs.

C. C. Blankenship, J. P.

VIRGINIA--Lee County, To-wit: To W. P. Sprinkel Constable of said County,

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of S. O. Lewis and John Lewis

, in your county, you cause to be made the sum of \$18.65 with interest thereon from the 1 day of Jan 1894 till paid, which D. A. Beane

has recovered before me in a warrant in debt, and also the sum of \$1.50 which were adjudged to the said D. A. Beane

for costs in prosecuting said warrant.

Given under my hand the 19 day of May 1894

C. C. Blankenship J. P.

The within Judgment & Execution are
hereby renewed for six days from
this date. This - Sept 19th 1894.
J. C. Lewis J. D. Lewis J. D.
J. C. Lewis J. D. Lewis J. D.

J. C. Lewis
J. D. Lewis
J. C. Lewis
John H. Lewis
Executed this on
J. C. Lewis & John
Lewis, May 11th 1894
W. P. Sprinkle C. L. C.

Executed by buying on
one Olympia clock the
property of J. C. Lewis
& John H. Lewis
June 13th 1894
W. P. Sprinkle C. L. C.
The above clock sold for \$5.00
July 16th 1894. and no more
property found.
W. P. Sprinkle C. L. C.

Doctored in judgment
Lieu Doctored in
12th 1894
J. D. F. Richmond
Lieu

July 23rd 1894 paid C. L. C. Blackenship cost \$5.00

Know all Men by these Presents, That we

M. A. Orr and M. G. Ely.

are held and firmly bound unto the Commonwealth of Virginia, in the sum of *Three Hundred*

dollars, to payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs, executors, and administrators, jointly and severally, firmly by these presents, hereby waiving the benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to discharge any liability arising under this bond, or by virtue of said office or trust, in any currency, funds, counter claims or offsets other than legal-tender currency of the United States.

Sealed with our seals, and dated this *15th* day of *June* one thousand eight hundred and *ninety five*

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound *M. A. Orr* shall faithfully perform the duties of *Cour* office or trust, as *Cour*

under a decree of the Circuit Court of the County of Lee, pronounced on the *13th* day of *June*, 1896, in the suit therein depending under the name and style of *W. L. Smith force vs A. B. Lewis et al*

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the presence of

A Copy Teste

A. B. Munsey Clerk

M. A. Orr

[SEAL.]

M. G. Ely

[SEAL.]

[SEAL.]

In the Clerk's Office of the Circuit Court of the County of Lee.

This day

M. G. Ely

surety on the above bond, made oath before me A. B. MUNSEY, Clerk of the Circuit Court of the County of Lee, that *his* estate after the payment of all *his* just debts, and those for which *he* bound as security for others, and expect to have to pay *is* worth the sum of *Three hundred*

dollars.

Given under my hand this *15th* day of *June* 189*5*.

Teste:

A. B. Munsey

Clerk

W^h to Smith force

vs

A. B. Lewis et al

copy of
to {

COMMISSIONER
BOND.

Commonwealth.

$$\begin{array}{r} 13.76 \\ - 1.07 \\ \hline 12.69 \end{array}$$

$$\begin{array}{r} 137. \\ - 14.6 \\ \hline 122.4 \end{array}$$

$$\begin{array}{r} 153.37 \\ - 31.99 \\ \hline 121.38 \end{array}$$

$$\begin{array}{r} 5.22 \\ - 6.52 \\ \hline -1.30 \end{array}$$

$$\begin{array}{r} 161.11 \\ - 1.86 \\ \hline 159.25 \end{array}$$

$$\begin{array}{r} 1.026 \\ - 1.026 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 100.77 \\ - 100.77 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 100.54 \\ - 100.54 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 2.179 \\ - 2.179 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 8.579 \\ - 8.579 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 1687.2 \text{ m.a.} \\ - 14.574 \\ \hline 1672.626 \end{array}$$

$$\begin{array}{r} 100.000 \\ - 3.000 \\ \hline 97.000 \end{array}$$

$$\begin{array}{r} 17.229 \\ - 17.229 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 35.00 \\ - 35.00 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 162.64 \\ - 162.64 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 56.52 - 5.71 \\ - 56.52 - 5.71 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 69.78 - 0.78 \\ - 69.78 - 0.78 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 66.02 - 0.02 \\ - 66.02 - 0.02 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 255.06 \\ - 255.06 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 341.54 \\ - 341.54 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 12.52 \\ - 12.52 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 6.76 \\ - 6.76 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 4.78 \\ - 4.78 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 1.76 \\ - 1.76 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 6775 \\ - 3 \\ \hline 6772 \end{array}$$

$$\begin{array}{r} 2032.5 \\ - 2032.5 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 1115 \\ - 1115 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 69.78 \\ - 69.78 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 6.11 \\ - 6.11 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 11.11 \\ - 11.11 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 11.11 \\ - 11.11 \\ \hline 0 \end{array}$$

$$\begin{array}{r} 11.11 \\ - 11.11 \\ \hline 0 \end{array}$$

To A.B. Ed L. O. Lewis,

You will take note that on the 12th. day
of Feb. 1896 at the town of Jourdsville Va.
I will proceed to execute the decree entered
in the Chancery cause of W. C. Smith for
etc. vs. A. B. Ed L. O. Lewis in the Circuit Court
of Lee County on the 12th. day of Nov. 1895
all parties interested will attend with such
evidence as will enable me to comply with the
said order of Court, this Feb. 6th 1896.

H. C. Joslyn
Special Commissioner

(Not Legal Service)

H. C. Smith for the
vs. B. F. Lewis
C. B. Ed. L. O. Lewis

Executed by de-
livering a true
Copy of the within
notice to ^{A. B. F.} L. O.
Lewis. This 4th
day of Feb. 1878.

H. C. Smith for the
Legal Service, accepted
for B. F. Lewis
: 21.4.78

Counters 56th

[illegible]

Great I understand

The Commonwealth of Virginia.

To The Sheriff of Lee County Greeting:

WE COMMAND YOU TO SUMMON.....

A. B. Lewis
and L. O. Lewis

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in
August.....next, being rule day to answer a bill in Chancery exhibited in our said Court against

them by
B. F. Lincoln *W. C. Smith* for

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This.....*20th*.....day of.....*June*.....18*93* in the 11*7* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste.....Clerk.

Ely

W. C. Smith & Co
Spa in
Chey

A. B. Lewis & Co

Lo 1st Aug. Rules 1890.

Executed by delivering
an office copy of
the within to
A. B. Lewis & Co.

Lewis this Aug 2-1893.

J. H. Weston Licensed
S. L. L.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon

M G Ely and John M
Weston Deputy Sheriff

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *1st* Monday in *November*, 189*6*, to answer a
bill in Chancery, exhibited against *them* in our said court by

L O Lewis

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *21st* day of *October*, 189*6*, and in the
12*th* year of the Commonwealth.

A B Munsey Clerk.

injunction granted to be effective till after the 7th day of Nov 1896. After which date it shall stand dismissed unless the plaintiff shall proceed to have the same enlarged as provided by Statute act 1895-6 page 728-9, but this temporary injunction not to be effective till the plaintiff executes bonds in the penalty of \$10000, conditions as required by law.

A copy

Wm. A. B. Munsey Clerk

L. O. Lewis
SUPENA.
vs. } IN CHANCERY
M. H. Ely et al
Ort & Blankenship v. q.

To 1st Nov. Rules.

CIRCUIT COURT.

Executed Oct. 21/1896
by delivering a true
copy of the within
summons to M. H. Ely
& J. M. Weston.

Jas. M. Weston
for H. P. Weston
S. G. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

We Command you, That you summon *M. G. Ely and John M*
Weston Deputy Sheriff

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held
for the said Court on the *1st* Monday in *November*, 189*6*, to answer a
bill in Chancery, exhibited against *them* in our said court by
L. O. Lewis

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-
house, the *21st* day of *October*, 189*6*, and in the
12th year of the Commonwealth.

A Copy

A B Munsey Clerk.

Teste A B Munsey Clerk

Infjunction granted to be effective till after the 7th day of
Nov 1896. After which date it shall stand dissolved un-
less the plff. shall proceed to have the same enlarged as
provided by Statute Acts 1895-6 Page 728-9 but this
temporary infjunction not to be effective till the plff
execute bond in the penalty of \$100 or Conditioned as re-
quired by law A copy Este AB Munsey Clerk

SUPPENA.
vs. {
IN CHANCERY.

p. q.

To Rules.

CIRCUIT COURT.

To A. B. Lewis, L. C. Lewis and M. G. Ely,

You are hereby notified that on the 12th day of October/1895 at the town of Gladeville, Wise County Virginia, I will move Judge W. J. Miller ^{in vacation} at his office, of the Circuit Court of Lee County, to confirm the report of sale of the lands of A. B. Lewis and L. C. Lewis made by Commissioner W. C. Orr on the 19th day of August 1895, pursuant to a decree rendered in the chancery cause of W. C. Smith for etc. vs. A. B. Lewis et al. at which sale M. G. Ely was the purchaser, and said report of sale having been filed the length of time required by law. This sept. 17th 1895-

Respectfully,

W. C. Smith for the
benefit of B. H. Kincaid
By counsel

W. C. Smith forec
vs && Notice,
A. B. Lewis et als.

Executed by delivering
a copy of the within
notice to A. B. Lewis and
J. O. Lewis, this Sept
27-1895. J. M. Weston
W. S. for W. P. Weston
S. L. C

I accept legal service of
the within notice this
the 20th day of Oct. 1895
M. G. Ely

To L.O.Lewis and John H.Lewis:

You will take notice that unless a certain judgment obtained by me against you and each of you before C.C.Blankenship, a Justice of the Peace, in and for Lee county, Va., on the 19th day of May, 1894, for the sum of \$18.65 with interest thereon from the 1st day of January, 1894, until paid, and one dollar and fifty cents costs, is paid within sixty days from the date of the service of this notice on you, suit will be instituted by me in the Circuit Court of Lee county, ^{Va.} to enforce the lien of said judgment against your real estate.

This December 12th, 1894.

D.A.Beam,

By

Orv, Blankenship & Ewing,

his counsel.

D. A. Beaman

28. / Notice.

L. O. Lewis, et al

Over, Shaukenstift & Erving, P. 7.

Executed by delivering
a Copy of the within
Notice to L. O. Lewis and
by delivering a Copy
as above stated of the
within Notice to A. B. Lewis
for John H. Lewis. he the
said A. B. Lewis being the
father of John H. Lewis
and a member of his family
and at his usual place of
abode and he the said John
H. Lewis being absent from
his usual place of abode and
further Executed by explaining
to A. B. Lewis as afore said the
purports and purposes of the within
notice this Jan - 24 - 1878.
J. M. Weston Sec. for C. E. Flanary & L. C.

W.C. Smith for the
no. 1 in Chancery

A.B. Lewis & Co.
